

BINGHAM McCUTCHEN

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VIA FACSIMILE

Elizabeth French, Ctrm. Clerk for
The Honorable Michael A. Ponsor
United States District Court
District of Massachusetts
Federal Building & Courthouse
1550 Main Street
Springfield, MA 01103

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Re: *Brumbaugh, et al. v. Wave Systems, Corp., et al.*
Civ. No.: 04-30022-MAP (D. Mass.)

Dear Ms. French:

Following up on our discussion this morning, this letter serves as written confirmation that the parties in the above-referenced matter have recently reached a settlement in principle of all claims in the litigation. Accordingly, the class certification hearing scheduled for today has become unnecessary and, per our conversation, we understand that the hearing will be cancelled.

The parties will file necessary papers to seek Court approval of the settlement as required in the near future.

If you have any questions, please do not hesitate to call (860) 240-2945. Thank you.



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